



Attorney Docket No.: 70201RCE

#13160T  
(MO)  
10-30-03  
JW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : MARKERT  
Serial No : 09/885,566  
Filed : June 20, 2001  
For : GEAR, PARTICULARLY...  
Art Unit : 3682  
Examiner : Timothy P. McAnulty  
Dated : October 17, 2003

**RECEIVED**

OCT 24 2003

**GROUP 3600**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.136 (a)**

Sir:

The Final Office Action dated June 17, 2003 provided for a shortened statutory period for response of three months.

The shortened statutory period expired September 17, 2003.

Since the attached response is being filed within the first month pursuant to 37 CFR 1.136(a) the United States Patent and Trademark Office is hereby requested to charge deposit account 13-0410 as follows:

\$110.00 for Extension of Time under fee code 1251;

\$54.00 for Claims in excess of twenty (3 X \$18) under fee code 1202; and

\$770.00 for Request for continued examination under fee code 1801.

10/23/2003 AWONDAF1 00000112 130410 09885566

03 FC:1251 110.00 DA

Respectfully submitted  
for Applicant(s),

By:

  
Theobald Dengler  
Reg. No.: 34,575  
For: McGLEW AND TUTTLE, P.C.

TD:jms



DATED: October 17, 2003  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313-1450, NO. EV323630144US.

McGLEY AND TUTTLE, P.C., SCARBOROUGH STATION, SCARBOROUGH, NEW YORK 10510-0827

BY: Maria Norell DATE: October 17, 2003

70201RCE.2



OCT 17 2003

EV 323630144 US

Mailing Label  
Label 11-F June 2002

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)		
PO ZIP Code	Day of Delivery	Flat Rate Envelope
	<input type="checkbox"/> Next <input type="checkbox"/> Second	<input type="checkbox"/>
Date In	Postage	
Mo. Day Year	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	\$
Time In	Military	
<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$

DELIVERY (POSTAL USE ONLY)		
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	

**WAIVER OF SIGNATURE** (Express Mail Addressee) This signature is valid if a waiver of signature is requested at which time the mailer can make a written or verbal request for delivery to an agent or delivery employee if delivery can be left in a secure location and I authorize that delivery employee to accept delivery on my behalf.

**NO DELIVERY** (Express Mail Addressee) I request that my mail be held at the delivery office and I will make arrangements to pick up my mail.

**HOLIDAY** (Express Mail Addressee) I request that my mail be held at the delivery office and I will make arrangements to pick up my mail.

**CUSTOMER USE ONLY**  
**METHOD OF PAYMENT:**

Express Mail Corporate Acct. No. **X090471**

Federal Agency Acct. No. or  
Postal Service Acct. No.

**FROM: (PLEASE PRINT)**

PHONE [ ]

**MCGLEW & TUTTLE P.C.  
SCARBOROUGH STATION RD  
PO BOX 327  
SCARBOROUGH**

**NY 10510-0827**

**TO: (PLEASE PRINT)**

PHONE [ ]

**COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA**

**VA 22313-1450**

**PRESS HARD.**  
You are making 3 copies.

**FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com**



1407 20

F: 02 F: 12

# FRIDAY

# OCTOBER 17, 2003